

PATENT

(Practitioner's Docket No. IN-5495)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of

Stephan SCHWARTE and Michael HARTUNG

Serial No.: This application is a National Phase of Patent Application PCT/EP00/00779 filed 1 February 2000.

Filed: June 26, 2001

Group Art Unit: Not Assigned

Examiner: Not Assigned

For: POLYURETHANE AND ITS USE IN AQUEOUS PAINTING PLASTIC

Commissioner of Patents

Washington, D.C. 20231

**EXPRESS MAIL CERTIFICATE**

"Express Mail" label number EF325208526US Date of Deposit June 26, 2001

I hereby certify that the following attached paper or fee

<input type="checkbox"/>	<b>English Application PCT/EP00/00779</b>	
Specification on	<input type="text"/> pages;	claims on <input type="text"/> pages;
the abstract on	<input type="text"/> page(s);	drawings on <input type="text"/> page(s).
<input type="checkbox"/>	<b>German Application PCT/EP00/00779</b>	
Specification on	<input type="text"/> pages;	claims on <input type="text"/> pages;
the abstract on	<input type="text"/> page(s);	drawings on <input type="text"/> page(s).
<input type="checkbox"/>	<b>Cover pages of Priority Documents</b>	<input type="text"/> Page(s)
<input type="checkbox"/>	<b>Cover page of Published PCT-application</b>	<input type="text"/> Page(s)
<input checked="" type="checkbox"/>	<b>Information Disclosure Statement</b>	
<input checked="" type="checkbox"/>	<b>From PTO-1449</b>	
<input checked="" type="checkbox"/>	<b>Cited References</b>	
<input checked="" type="checkbox"/>	<b>International Search Report</b>	

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Marjorie Ellis

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Note: Each paper must have its own certificate and the "Express Mail" label number as a part thereof or attached thereto. When, as here, the certification is presented on a separate sheet, that sheet must (1) **be signed** and (2) **fully identify and be securely attached to the paper or fee it accompanies**. Identification should include the serial number and filing date of the application as well as the type of paper being filed, e.g.

complete application, specification and drawings, responses to rejection or refusal, notice of appeal, etc. if the serial number of the application is not known, the identification should include at least the name of the inventor(s) and the title of the invention.

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the abstract on	<input type="text" value="02"/> page(s);	drawings on	<input type="text"/> page(s).
<input type="checkbox"/>	German Application PCT/EP00/00779		
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09/869257

JC18 Rec'd PCT/PTO 2 6 JUN 2001

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☒ German Application PCT/EP00/00779

Specification on ☐ 27 pages; claims on ☐ 03 pages;  
the abstract on ☐ 02 page(s); drawings on ☐ page(s).

☐ Cover pages of Priority Document ☐ Page(s)

☐ Cover page of Published PCT-application ☐ Page(s)

☐ Information Disclosure Statement  
☐ From PTO-1449  
☐ Cited References  
☐ International Search Report

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**INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

Applicant(s) submit(s) herewith patents, publications, or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose in accordance with 37 C.F.R. §1.56.

The filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made (37 C.F.R. 1.97(g) ), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. The filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner.

☒ Submitted herewith is Form PTO-1449 (Modified) listing patents, publications, or other information for consideration by the Office.

**COPIES PROVIDED:**

☒ Legible copies of all items listed on Form PTO-1449 accompany this information statement, except as indicated below:

☐ Under 35 U.S.C. §120, this application relies on the earlier filing date of prior application Serial No. [ ], filed on [ ]. The following references were submitted to and/or cited by the Office on this prior application and are therefore not required to be provided in this application:

Information Disclosure Statement  
Page 2

- ☐ In accordance with 37 C.F.R. §1.98(c), a copy of only [ ] is being submitted with this Information Disclosure Statement, and is cumulative of the following patents or publications listed on Form PTO-1449:

**FOREIGN LANGUAGE DOCUMENTS**

- ☐ There are no foreign language documents listed on Form PTO-1449.
- ☐ Submitted herewith is an English translation of the following foreign language patents, publications or information or of portions of those patents, publications or information considered to be material:
- ☐ No English language translations of the foreign language patents, publications or information or parts thereof are readily available, except for those listed above.
- ☒ The following foreign language documents submitted are believed to be the equivalent or substantial equivalent of the English language documents identified below, which are also submitted herewith: 5,334,420 is the English for EP 521928.
- ☒ Submitted herewith is an English language version of a search report listing information not in the English language and indicating the degree of relevancy found by the European Patent Office, in satisfaction of the requirement (under 37 C.F.R. §1.98(a)(3)) for a concise explanation of the relevance of non-English information.
- ☐ A concise explanation of the relevance of the following listed non-English language information is included as presently understood by the individual designated in 37 C.F.R. §1.56(c) most knowledgeable about the content of the information as set forth below:
- ☐ A concise explanation of the relevance of the following listed non-English language information is set forth in the above-identified specification:

**CERTIFICATION:**

- ☒ The Information Disclosure Statement transmitted herewith is being filed **within** three (3) months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office Action on the merits, whichever event occurs last. 37 C.F.R. §1.97(b). Accordingly, it is believed that no certification or fee is due.
- ☐ The Information Disclosure Statement transmitted herewith is being filed **after** three (3) months of the filing date of the application or the date of entry into the national stage of an international application or after the mailing date of the first Office Action on the merits, whichever event occurred last but **before** the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311, whichever occurs first. Accordingly, I hereby certify that:
- ☐ Each statement of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of the statement; 37 C.F.R. §1.97(e)(1); **OR**

Information Disclosure Statement  
Page 3

☐ That no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge as the person signing this certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three (3) months prior to the filing of this statement; 37 C.F.R. §1.97(e)(2); **OR**

☐ Applicant elects the option to pay the fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under 37 C.F.R. §1.97(c). Please charge the **\$230.00** IDS submission fee to BASF Corporation **Deposit Account No. 23-3425**. A duplicate of this paper is enclosed.

☐ The Information Disclosure Statement transmitted herewith is being filed **After a Final Action** under 37 C.F.R. §1.113, or **After a Notice of Allowance** under 37 C.F.R. §1.311, whichever occurs first, but **Before Payment of the Issue Fee**. Accordingly, I hereby certify that:

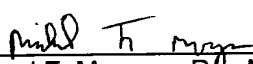
☐ Each statement of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of the statement; 37 C.F.R. §1.97(e)(1); **OR**

☐ That no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge as the person signing this certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three (3) months prior to the filing of this statement; 37 C.F.R. §1.97(e)(2); **AND**

☐ Applicant hereby petitions for consideration of this Information Disclosure Statement; 37 C.F.R. §1.97(d)(2)(ii). Please charge the petition fee of **\$130.00** to BASF Corporation **Deposit Account No. 23-3425**. A duplicate of this paper is enclosed.

The Commissioner is authorized to charge BASF Corporation Deposit Account No. 23-3425 for any additional fees due hereunder.

Respectfully submitted,

  
\_\_\_\_\_  
Michael F. Morgan, Reg No. 42,906  
BASF Corporation  
26701 Telegraph Road  
Southfield, Michigan 48034-2442  
Tel. No.: (248) 948-2355

**LIST OF ART CITED BY APPLICANT**  
(Use sever of sheets if necessary)

In re Application of Stephan SCHWARTE et al.

Serial No.:

Filed:

**U.S. PATENT DOCUMENTS**

Examiner initial		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	5,308,914	5/3/94	Wallon et al.	524	591	11/9/92
	AB	4,594,385	6/10/86	Thoma et al.	524	839	8/24/82
	AC	5,349,041	9/20/94	Blum et al.	528	85	5/12/93
	AD	5,334,420	8/2/94	Hartung et al	427	407.1	3/13/91
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						

**FOREIGN PATENT DOCUMENTS**

Examiner initial		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	AL	0 521 928 B1	17.10.91	EP	C08F	299/06		X
	AM							
	AN							
	AO							
	AP							

**OTHER ART** (Including Author, Title, Date, Pertinent Pages, Etc.)

	AR	
	AS	
	AT	

EXAMINER

DATE CONSIDERED

**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

\*Applicant has modified this form by deleting the word "prior".